

REMARKS

Summary of the Office Action

Claims 1, 4, 8, and 34-37 were objected to for various informalities.

Claims 1-7, 21, and 22 stand rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 6,437,836 (“Huang”).

Claims 7, 23, and 24 stand rejected under Published US Patent Application 2005/0028208 (“Ellis”).

Claims 8-12, 15-17, 25, 26, 30-39 stand rejected under Published US Patent Application 2004/0045039 (“Harrison”).

Claims 27-29 and 40 stand rejected under 35 U.S.C. Section 103(a) as being obvious over Harrison and Ellis.

Summary of the Response

Applicant has addressed the objections.

Claim 4 and Claim 36 have been canceled.

Now pending are claims 1-3, 5-35, and 37-40.

Claim 41 is new.

Substantive Remarks

Applicant submits that the pending claims are allowable over the art on record, for reasons stated.

Claims 1-7, 21, and 22 stand rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 6,437,836 (“Huang”).

With regard to Claim 1, Applicant concedes that the PDA device shown by Huang is an example of a “palmtop” computer, as would be, for example, cellular devices and smart phones. However, Huang is silent on the use of the PDA device shown therein for network communications that result in the control of other satellite devices. In Claim 1, a

command from the palmtop computer is transmitted wirelessly onto a network and received from the network. The use of a network to transmit commands from the palmtop computer is not shown or described in the cited art. Huang only teaches point-to-point communications between the palmtop computer and the device being controlled. Consider column 9, line 22 of Huang, which describes alternative embodiments: “For example, a Radio Frequency (RF) transmitter could be used in lieu or in addition to the infrared transmitter described above.” In Huang, infrared transmitter is the primary mode of communication used by the PDA device to communicate with other devices. Point-to-point RF is common as non-network communications (i.e. handsets and Bluetooth). But there is no use of network communication.

Claim 1 has also been amended to recite that “the network includes one or more of (i) the Internet, (ii) an intranet, (iii) a wide area network that is not the Internet, or (iv) an internal proprietary network.” This feature is absent from Huang. This language of Claim 1 excludes line-of-sight or point-to-point communications.

Claims 2, 3, 5, 6, 21, 22 and 41 depend from Claim 1. Applicant submits these claims are allowable for reasons that include those cited above.

Reasons stated with Claim 1 are also applicable to Claim 7. With Claim 7, further consider limitations such as provided by the phrase “wherein the receiver is interconnected to the palmtop computer *through the network* to receive the signal transmitted by the palmtop computer,” which is not disclosed in Huang.

Claim 23 and 24 depend from Claim 7. Applicant submits these claims are distinguishable over Huang for reasons that include those cited above.

Claims 7, 23, and 24 stand rejected under Published US Patent Application 2005/0028208 (“Ellis”)

Claim 7 has been amended to recite “wherein the receiver is configured to communicate at least a portion of the television transmission to the palmtop computer using the network.” Applicant respectfully submits that Ellis does not teach the combination of (i) the palmtop computer communicating a command over a network, and (ii) receiving a portion of the television transmission from over the network. For this reason, Applicant submits Claim 7 is distinguishable.

Claim 23 and 24 depend from Claim 1 and are thus distinguishable for reasons stated.

Claims 8-12, 15-17, 25, 26, 30-39 stand rejected under Published US Patent Application 2004/0045039 (“Harrison”).

With regard to independent Claim 8, Applicant notes that the claim requires “detecting, from over the network, input corresponding to the user interacting with the interactive content on the palmtop computer....” While Harrison teaches use of a handheld computer in, for example, FIG. 6 and FIG. 7 of that reference, Applicant submits that the teaching of Harrison is limited to infra-red or point-to-point communications between the device that renders the “primary data” and the handheld device. In fact, examples recited on page 7, paragraphs 70-64 all recite use of handheld computer in the context of point-to-point communications with the device that renders the primary data. To this end, Harrison teaches away from the use of a network in extending communications to the palmtop computer from a location where television content is rendered. Moreover, Harrison does not teach the ability to detect input corresponding to the user interacting with interactive content on the palmtop computer.

Claim 8 also recites “processing the input to effect the display device while the display device displays the content.” This limitation is not taught or suggested by the cited references.

Claims 9-12, 25-26 depend from Claim 8, and are distinguishable over the cited art for reasons stated.

With regard to Claim 15, a similar limitation is recited of “receiving, from over the network, an input from the palmtop computer corresponding to the user interacting with the interactive component...” As mentioned, Harrison teaches use of handheld computer in the context of point-to-point communications with the device that renders the primary data.

Claims 16-18 and 27-29 depend from Claim 15, and are distinguishable over the cited art for reasons stated.

Likewise, with Claim 30 states “receiving, from a network, input corresponding to user manipulating a palmtop computer that is in communication with at least one of the display device or the network to interact with events that occur as part of the program.”

As with Claim 8 and 15, Harrison teaches use of handheld computer in the context of point-to-point communications with the device that renders the primary data.

Claim 31 depends from Claim 30, and is distinguishable over the cited art for reasons stated.

Claim 32 states “receiving input from a network corresponding to a user manipulating a palmtop computer that is in wireless communication with the network.” Harrison teaches use of handheld computer in the context of point-to-point communications with the device that renders the primary data.

Claims 27-29 and 40 stand rejected under 35 U.S.C. Section 103(a) as being obvious over Harrison and Ellis.

Applicant requests reconsideration of this rejection in view of amendments and comments presented above. Claim 27-29 depend from Claim 15, and Claim 40 depends from Claim 38. All independent claims have been distinguished with arguments presented.

CONCLUSION

A Notice of Allowance is requested, based on the remarks and amendments provided with this paper. If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to call Applicant’s attorney at (408) 551-6632.

If there are any additional charges, please charge them to Deposit Account No. 50-1914. No new matter is being provided with this amendment.

Respectfully submitted,

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